

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LOI TAN NGUYEN,

Plaintiff,

v.

NMT MEDICAL, INC.

Defendant.

Civil Action No. 04-CV-11781-DPW

**ASSENTED TO MOTION TO EXTEND DISCOVERY AND
MODIFY SCHEDULING ORDER**

Pursuant to Fed. R. Civ. P. 16(b) and Local Rule 16(G), Plaintiff Loi Tan Nguyen (“Plaintiff”) hereby moves this Court to extend the discovery deadline in this case until May 18, 2006 and modify the Scheduling Order. In support of his motion, Plaintiff states the following:

(1) The Scheduling Order provides for all discovery to be completed by April 6, 2006 and sets forth additional deadlines throughout the case.

(2) Plaintiff requires additional time to respond to Defendant’s interrogatories and document requests and has requested an extension until April 28, 2006 to provide such responses. Defendant has assented to this request.

(3) Plaintiff has requested to postpone his deposition until May 9, 2006. Defendant has assented to this request so that it may review Plaintiff’s responses to its discovery requests prior to his deposition.

(4) The additional requested time prejudices neither party nor any other person.

WHEREFORE, Plaintiff respectfully requests the Court to allow this motion and extend discovery and modify the Scheduling Order as follows:

- (1) extend discovery until May 18, 2006; and
- (2) expand the Scheduling Order to include an additional six (6) weeks for all upcoming deadlines in the Scheduling Order.

The parties have conferred pursuant to Local Rule 7.1(A)(2).

Assented to:

NMT MEDICAL, INC.

By its attorney,

/s/ Julie Murphy Clinton
Julie Murphy Clinton (BBO# 655230)
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109
(617) 526-6000

Respectfully submitted,

LOI TAN NGUYEN

Pro se,

/s/ Loi Tan Nguyen
Loi Tan Nguyen
92 Marks Road # 1
Dorchester, MA 02124
(617) 282-2756

CERTIFICATE OF SERVICE

I, Julie Murphy Clinton, hereby certify that on April 5, 2006, I caused a copy of the foregoing document to be served electronically upon plaintiff Loi Tan Nguyen.

/s/ Julie Murphy Clinton